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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/602,327	
	Filing Date	06/23/2003	
	First Named Inventor	Mossberg	
	Art Unit	2872	
	Examiner Name	Alessandro V. Amari	
Total Number of Pages in This Submission	4	Attorney Docket Number	LTSM01DV1

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	David S. Alavi Reg. No. 40310	
Signature	<i>DA S Alavi</i>	
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Docket No. LTSM01DV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas W. Mossberg

Art Unit: 2872

Filed: 06/23/2003

Examiner: Alessandro V. Amari

App. No.: 10/602,327

For: Holographic spectral filter

ELECTION UNDER 37 CFR §1.146

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

03/17/2004

Sir:

In response to the Requirement for Restriction dated 02/17/2004, Applicant hereby makes his provisional election as set forth hereinbelow.

Examiner has restricted claims in the application among the following patentably distinct species:

Species 1 – Method for calculating a temporal interference pattern as a superposition of the plurality of temporal interference patterns – Claims 13-16;

Species 2 – Method for forming a volume hologram comprising deposition of a layer and imparting a pattern onto a slab face of a planar waveguide by deformation of the deposited layer – Claims 21-32 and 44-51;

Species 3 – Method for forming a volume hologram comprising imparting a pattern onto a material layer and depositing the patterned layer onto the slab face of the planar waveguide substrate – Claims 33-38;

Species 4 – Method for forming a volume hologram comprising imparting a pattern onto at least one surface of a support slab and pressing and bonding the patterned support slab against a planar waveguide substrate – Claims 39-43; and

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Species 5 – Method for forming a volume hologram comprising spatially selectively exposing a photosensitive optical medium – Claims 52-58.

Examiner has asserted that Claims 1 and 17 appear to be generic.

Applicant respectfully asserts that Claims 1-7 and 10-12 are generic. Each of said claims reads on each of the species.

Applicant further respectfully asserts that a more suitable characterization of the species would be as follows:

Species 1 – Method comprising calculating a temporal interference pattern for use in forming a volume hologram – Claims 13-16;

Species 2 – Method for forming a volume hologram comprising imparting a pattern onto a slab face of a planar waveguide – Claims 8, 21-32 and 44-51;

Species 3 – Method for forming a volume hologram comprising imparting a pattern onto a material layer and depositing the patterned layer onto the slab face of the planar waveguide substrate – Claims 33-38;

Species 4 – Method for forming a volume hologram comprising imparting a pattern onto at least one surface of a support slab and pressing and bonding the patterned support slab against a planar waveguide substrate – Claims 39-43;

Species 5 – Method for forming a volume hologram comprising spatially selectively exposing a photosensitive optical medium – Claims 52-58; and

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Species 6 – Method for forming a volume hologram
comprising imparting a pattern within a planar waveguide –
Claims 9 and 17-20.

If the foregoing characterization of species is acceptable to the Examiner, then Applicant hereby provisionally elects Species 2 (Claims 8, 21-32, and 44-51) for prosecution if no generic claim is held allowable. Applicant reiterates the earlier assertion that Claims 1-7 and 10-12 are generic.

If the foregoing characterization of the species is not acceptable, Applicant hereby provisionally elects Species 2 (Claims 21-32 and 44-51) for prosecution if no generic claim is held allowable. Applicant further respectfully requests that the Examiner convey in the next communication the reasons for non-acceptance of the foregoing characterization of species.

In view of the above, it is submitted that the application is ready for examination on the merits.

Respectfully submitted,



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